

1       **Mary-Margaret O'Connell-State Bar No. 113002**  
2       **LAW OFFICES OF MARY-MARGARET O'CONNELL**  
3       **550 Hartnell Street, suite J**  
4       **Monterey, CA 93940**  
5       **Tel: 831 649-0535**  
6       **Fax: 831 649-0559**  
7       **Attorney for Plaintiff John Westfall**

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10      **William McMahon**  
11      **Deputy Attorney General**  
12      **Department of Justice**  
13      **State of California**  
14      **P. O. Box 7055-**  
15      **Oakland, CA 94612-0550**  
16      **Tel: 510 622-2209**  
17      **Fax: 510 622-2121**  
18      **Attorneys for Defendants California Department**  
19      **of Forestry and Fire Protection, et al.**

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23                   **UNITED STATES DISTRICT COURT**  
24                   **NORTHERN DISTRICT OF CALIFORNIA**  
25                   **SAN JOSE DIVISION**

26      **JOHN WESTFALL,**

27                   **CASE NO. C 02-02472-JW**

28      **Plaintiff,**

1                   **STIPULATED DISMISSAL**

2      **vs.**  
3      **STATE OF CALIFORNIA, STATE**  
4      **DEPARTMENT OF FORESTRY AND**  
5      **FIRE PREVENTION; TIM TURNER;**  
6      **DELORES CHACON; STATE PERSONNEL**  
7      **BOARD; and DOES 1 through 10, inclusive,**

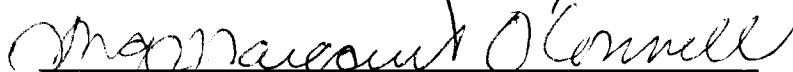
8                   **Defendants.**

9                   **/**

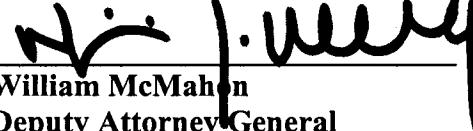
10     Plaintiff, by and through his attorney of record, and defendants, by and through  
11     defendants' attorney of record, hereby notify the court that this matter has resolved in  
12     keeping with the full terms and conditions of the settlement agreement. Consideration  
13     has been received and all other terms have been met. Therefore, the undersigned

1 respective attorneys for the parties, hereby request that this court dismiss this case with  
2 prejudice.

3  
4 date: 10/11/05 LAW OFFICES OF MARY-MARGARET O'CONNELL

5   
6 Mary-Margaret O'Connell  
7 Attorney for Plaintiff

8 date: BILL LOCKYER  
9 Attorney General of the State of California

10 by:   
11 William McMahon  
12 Deputy Attorney General  
13 Attorney for Defendants

14 10/17/2005

15 ORDER

16 The Stipulated Dismissal of the parties having been considered by this court,

17 IT IS ORDERED that this matter be dismissed with prejudice.

18 date: 10/19/05

19   
20 JAMES WARE  
21 United States District Judge